



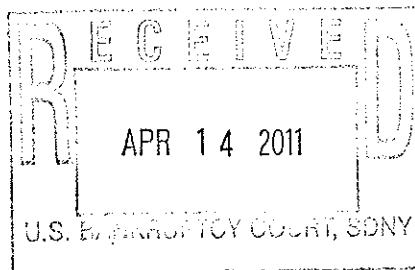
K N A U F

S H A W

L L P

April 13, 2011

Clerk, United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, New York 10004-1408



**Re: DPH Holdings Corp., et al.**  
**Chapter 11**  
**Case No. 05-44481 (Jointly Administered)**  
**Administrative Expense Claim No. 18605**

Ladies and Gentlemen:

Enclosed is an original and a CD with a PDF of the Supplemental Response of American Recycling Manufacturing Company, Inc. with respect to the Objection to Administrative Expense Claim No. 18605.

Very truly yours,

**KNAUF SHAW LLP**

ALAN J. KNAUF

AJK/cmb

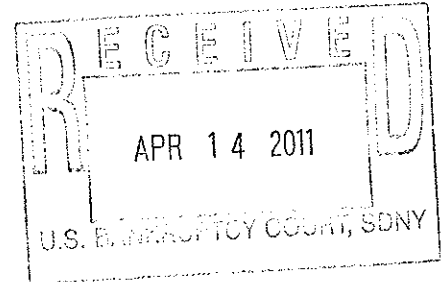
Encs

pc: DPH Holdings Corp.  
John Wm. Butler, Esq.

C:\Users\AI Laptop\Documents\ARM\Rochester\Delphi\Administrative Claims\Clerk 4.13.11.wpd

**Hearing Date and Time: May 26, 2011 at 10:00 a.m. (prevailing Eastern time)**

**KNAUF SHAW LLP**  
Alan J. Knauf, Esq. of Counsel  
1125 Crossroads Building  
2 State Street  
Rochester, New York 14614  
(585) 536-8430 (Phone)  
(585) 436-4324 (Fax)



**Attorneys for American Recycling & Manufacturing Co., Inc.**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE:	) Chapter 11 ) ) Case No. 05-44481 (RDD) ) (Jointly Administered) ) ) Debtors.
DPH HOLDINGS CORP., <u>et al.</u> ,	

**AMERICAN RECYCLING & MANUFACTURING CO., INC.**  
**SUPPLEMENTAL RESPONSE TO OBJECTION**  
**TO ADMINISTRATIVE EXPENSE CLAIM NO. 18605**

American Recycling & Manufacturing Co., Inc. ("ARM"), a creditor of debtor Delphi Automotive Systems LLC and/or Delphi Corporation (together the "Debtors"), through its attorneys KNAUF SHAW LLP, hereby responds to the Statement of Disputed Issues With Respect to Proof of Administrative Expense Claim No. 18605 asserted by ARM. ARM respectfully states as follows:

1. On or about October 8, 2005, Debtors filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code.
2. On July 14, 2009, ARM filed a Proof of Claim (Claim No. 14526) in the amount of \$21,964.03 for an administrative claim for goods and services that were supplied to Debtors by the ARM Rochester, New York facility after the bankruptcy filing (the "Administrative Claim"), which is incorporated by reference.
3. On January 22, 2010 the Debtors filed their Forty-Third Omnibus Claims Objection which objected to the Administrative Claim.
4. On February 17, 2010, ARM filed its Response to that Objection, which is incorporated by reference.

5. Since that Proof of Claim and the Response were filed, payments have been received for various invoices, including some invoices included within the Administrative Claim.
6. On March 29, 2011 the Debtors filed a Statement of Disputed Issues, which indicated that the Debtors' objection was based on the alleged failure to provide proof of delivery, but the Debtor failed to indicate which invoices this objection referred to.
7. To ARM's knowledge, all goods that were invoiced were delivered.
8. The parties subsequently conferred on April 1, 2011 but failed to resolve the dispute. At that time the Debtors made a new objection (not set forth in their Statement of Disputed Issues) that all invoices were allegedly paid, rather than claiming there was no proof of delivery.
9. ARM has discovered that its should have included an additional \$3,077.10 for the following invoices in its Administrative Claim:

<u>INVOICE</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>AMOUNT PD ON INV</u>	<u>OPEN AMOUNT</u>
4000802	12/28/2005	926.40	-	926.40
4001050	11/15/2005	1,389.60	(1,181.40)	208.20
4001118	11/21/2005	1,389.60	(1,181.40)	208.20
4001250	12/5/2005	926.40	(787.60)	138.80
4001373	12/12/2005	1,389.60	(1,181.40)	208.20
4001550	12/22/2005	694.80	(590.70)	104.10
4002877	3/27/2006	926.40	(463.20)	463.20
4012033	12/19/2007	1,288.80	(468.80)	820.00
				<u>3,077.10</u>

10. However, since ARM applies payments to earlier invoices first, these invoices should be marked paid, and the following invoices contained in the Administrative Claim are still unpaid:

<u>Date of Invoice</u>	<u>Invoice No.</u>	<u>Amount</u>	
8/21/2008	ROCH-INV-4014940	\$ 168.14	(part paid)
8/22/2008	ROCH-INV-4014947	\$ 175.00	
8/29/2008	ROCH-INV-4015015	\$ 1,575.00	
9/16/2008	ROCH-INV-4015159	\$ 654.96	
4/16/2009	ROCH-INV-4016901	\$ 168.00	
5/26/2009	ROCH-INV-4017161	\$ 336.00	
	<b>TOTAL</b>	<b>\$ 3,077.10</b>	

11. Any acknowledgment of payment by ARM of these invoices was a mistake.
12. Therefore, ARM should be allowed its Administrative Claim to the extent of \$3,077.10.
13. The above facts are supported by the Affidavit of Armando Santiago, which is attached as Exhibit A, who is the witness Claimant intends to call at the hearing.

**WHEREFORE**, ARM respectfully requests that this Court deny the Objection to ARM's Administrative Claim, direct payment of the Administrative Claim in the amount of \$3,077.10, and grant ARM such other and further relief as may be just and proper.

Dated: April 13, 2011



---

Alan J. Knauf, Esq.  
**KNAUF SHAW LLP**  
Attorneys for American Recycling &  
Manufacturing Co., Inc.  
1125 Crossroads Building  
2 State Street  
Rochester, New York 14614  
Telephone: (585) 546-8430  
Facsimile: (585) 546-4324

## **EXHIBIT A**

**Hearing Date and Time: May 26, 2011 at 10:00 a.m. (prevailing Eastern time)**

**KNAUF SHAW LLP**

Alan J. Knauf, Esq. of Counsel  
1125 Crossroads Building  
2 State Street  
Rochester, New York 14614  
(585) 536-8430 (Phone)  
(585) 436-4324 (Fax)

**Attorneys for American Recycling & Manufacturing Co., Inc.**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

_____	) Chapter 11
IN RE:	)
	) Case No. 05-44481 (RDD)
DPH HOLDINGS CORP., <u>et al.</u> ,	) (Jointly Administered)
	)
Debtors.	)
_____	)

**AFFIDAVIT OF ARMANDO SANTIAGO**

STATE OF NEW YORK)

COUNTY OF MONROE) S.S.:

**ARMANDO SANTIAGO**, being duly sworn, deposes and says:

1. I am CEO, President and Treasurer of American Recycling & Manufacturing Co., Inc. ("ARM"), a creditor of debtor Delphi Automotive Systems LLC and/or Delphi Corporation (together the "Debtors"). I have held that position since 1990.
2. I make this Affidavit in response to the Statement of Disputed Issues With Respect to Proof of Administrative Expense Claim No. 18605 asserted by ARM (the "Administrative Claim"), and in support of that Administrative Claim.
3. I am the person at ARM responsible for receiving payments, and I oversee our Great Plains invoicing and bookkeeping system.
4. On July 14, 2009, ARM filed a Proof of Claim (Claim No. 14526) in the amount of \$21,964.03 for an administrative claim for goods and services that were supplied to Debtors by the ARM Rochester, New York facility after the bankruptcy filing, which is incorporated by reference.

5. To my knowledge, all goods that were invoiced and included in the Administrative Claim were delivered. I am unaware of any specific objection to an invoice based on the failure to deliver or supply proof of delivery.
6. This past month, we discovered that we should have included an additional \$3,077.10 for the following invoices in our Administrative Claim:

<u>INVOICE</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>AMOUNT PD ON INV</u>	<u>OPEN AMOUNT</u>
4000802	12/28/2005	926.40	-	926.40
4001050	11/15/2005	1,389.60	(1,181.40)	208.20
4001118	11/21/2005	1,389.60	(1,181.40)	208.20
4001250	12/5/2005	926.40	(787.60)	138.80
4001373	12/12/2005	1,389.60	(1,181.40)	208.20
4001550	12/22/2005	694.80	(590.70)	104.10
4002877	3/27/2006	926.40	(463.20)	463.20
4012033	12/19/2007	1,288.80	(468.80)	820.00
<b>TOTAL</b>				<b>3,077.10</b>

7. All but the last of these were left out because our staff mistakenly believed that the 2005 and 2006 invoices were discharged in bankruptcy, which was not correct. I am not sure why the 2007 invoice was left out, but our records indicate it was not paid either.
8. Since that Proof of Claim was filed, payments have been received for various invoices, including some invoices included within the Administrative Claim.
9. However, since ARM applies payments to earlier invoices first, the above-referenced invoices should be marked paid with funds received from the Debtors, and the following invoices contained in the Administrative Claim are still unpaid:

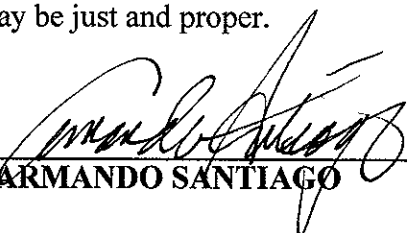
<u>Date of Invoice</u>	<u>Invoice No.</u>	<u>Amount</u>	
8/21/2008	ROCH-INV-4014940	\$ 168.14	(part paid)
8/22/2008	ROCH-INV-4014947	\$ 175.00	
8/29/2008	ROCH-INV-4015015	\$ 1,575.00	
9/16/2008	ROCH-INV-4015159	\$ 654.96	
4/16/2009	ROCH-INV-4016901	\$ 168.00	
5/26/2009	ROCH-INV-4017161	\$ 336.00	
	<b>TOTAL</b>	<b>\$ 3,077.10</b>	

10. Any acknowledgment by an ARM employee of payment of these invoices was a mistake.

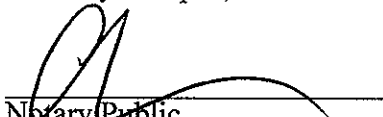
11. In fact, it had always been the custom and practice in our course of dealing with the Debtors that both sides would make adjustments and corrections for any mistakes, and we never held the other side to a clerical or bookkeeping error.
12. This has been true since we first started doing business with Delphi in about 1991.
13. Therefore, ARM should be allowed its Administrative Claim to the extent of \$3,077.10.
14. I am prepared to testify at the hearing on this matter scheduled for May 26, 2011 at 10:00 AM in this Court.

**WHEREFORE**, I respectfully requests that this Court deny the Objection to ARM's Administrative Claim, direct payment of the Administrative Claim in the amount of \$3,077.10, and grant ARM such other and further relief as may be just and proper.

Dated: April 13, 2011

  
ARMANDO SANTIAGO

Sworn before me this  
13th day of April, 2011

  
Notary Public

ALAN J. KNAUF  
Notary Public, State of New York  
Monroe County  
My Commission Expires May 30, 2011



**CERTIFICATE OF SERVICE**

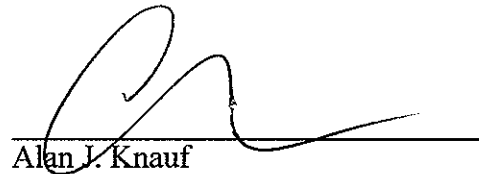
The undersigned hereby certifies that a copy of the attached was served by Federal Express  
to:

Hon. Robert D. Drain  
United States Bankruptcy Judge  
United States Bankruptcy Court  
Southern District of New York  
300 Quarropas Street, Courtroom 116  
White Plains, New York 10601

DPH Holdings Corp.  
Attn: General Counsel  
5725 Delphi Drive  
Troy, MI 48098

Skadden, Arps, Slate, Meagher & Flom, LLP  
Attn: John Wm. Butler, Jr., John K. Lyons,  
and Joseph N. Wharton  
333 West Wacker Drive, Suite 2100  
Chicago, IL 60606

Dated: April 13, 2011

  
Alan J. Knauf